

1 D. Lee Roberts, Jr., Esq.
lroberts@wwhgd.com
2 Nevada Bar No. 8877
3 Ryan T. Gormley, Esq.
rgormley@wwhgd.com
4 Nevada Bar No. 13494
5 Jonathan J. Winn, Esq.
jwinn@wwhgd.com
6 Nevada Bar No. 12896
WEINBERG, WHEELER, HUDGINS,
GUNN & DIAL, LLC
7 6385 South Rainbow Blvd., Suite 400
Las Vegas, Nevada 89118
Telephone: (702) 938-3838
8 Facsimile: (702) 938-3864

*Attorneys for Defendant
Swift Transportation Co. of Arizona, LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LAURA PETERS,

Case No. 2:19-cv-00874-GMN-EJY

Plaintiff,

V.

SWIFT TRANSPORTATION CO. OF ARIZONA, LLC; DOE DRIVER; DOES I through XX, inclusive; and ROE BUSINESS ENTITIES I through XX, inclusive.

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(SIXTH REQUEST)

30 Defendants.

23 Defendant Swift Transportation Co. of Arizona, LLC (“Swift”) and Plaintiff Laura Peters
24 (“Ms. Peters” or “Plaintiff”), by and through their respective undersigned counsel, hereby stipulate
25 and agree to extend the current discovery deadlines set forth in the Scheduling Order entered on
26 January 27, 2021 (ECF No. 41), pursuant to LR 26-3. This is the sixth stipulation to extend the
27 discovery deadlines.

28 | //

1 **A. Statement Specifying the Discovery Completed**

2 To date, the parties have completed significant written discovery. Plaintiff has disclosed
3 twenty two supplements to her Rule 26(a) initial disclosures, identifying over 50 witnesses and
4 thousands of pages of records. Plaintiff has also responded and provided supplemental responses
5 to two sets of requests for production and two sets of interrogatories. Swift has also disclosed over
6 a thousand pages of records and subpoenaed records from dozens of medical providers. The
7 parties have also served and responded to Rule 34 vehicle inspection requests. Further, three
8 medical examinations of Ms. Peters arranged by Swift have taken place.

9 As for experts, on April 5, 2021, the parties made initial expert disclosures. Plaintiff
10 identified nine medical professionals as non-retained medical expert/treating physicians. Plaintiff
11 further identified ten initial experts, in the areas of accident reconstruction/biomechanical, spinal
12 surgery, orthopedics, economics, radiology, neuropsychology, neurology, addiction, life care
13 planning, and occupational therapy. Swift identified six initial experts, in the areas of spinal
14 surgery, orthopedics, neurology, life care planning, psychiatry, and accident
15 reconstruction/biomechanical.¹

16 As for depositions, Swift deposed Plaintiff on March 9, 2021. Swift has noticed the
17 depositions of five lay witnesses, two first responders, three treating providers, and five non-
18 retained medical expert/treating physicians for dates between April 23, 2021 and May 13, 2021.

19 **B. Specific Description of the Discovery that Remains to be Completed**

20 Discovery in this case has been ongoing and additional discovery remains to be
21 completed, including, but not limited to:

- 22 • *Written Discovery.* The parties are meeting and conferring over past responses and
23 Swift will continue to evaluate the need for additional requests or subpoenas
24 depending on how discovery progresses, particularly since Ms. Peters is still
25 undergoing treatment.
- 26 • *Experts.* The parties intend to disclose rebuttal experts.

27 ¹ The descriptions of the parties' experts' areas of expertise is for information purposes only, and in no
28 way is intended or should be construed as defining or otherwise limiting the scope or expertise of said
experts.

- 1 • *Depositions.* Swift intends to take a number of depositions in this matter, including,
2 but not limited to, the depositions referenced above, additional non-retained medical
3 expert/treating physicians, and experts disclosed by Plaintiff. Plaintiff also intends to
4 take a number of depositions, including, but not limited to, Swift, several lay
5 witnesses, several medical providers, and experts disclosed by Swift. Given the
6 number of witnesses, the parties anticipate the need to take more than ten depositions.
7 • All other discovery deemed necessary by the parties in accordance with the scheduling
8 order and permitted by law.

9 **C. Reasons Why Discovery was not Completed**

10 Since the last discovery extension, the parties have progressed in discovery. Given the
11 number of experts disclosed by the parties (16 retained experts in total), as well as the extensive
12 injuries alleged by Ms. Peters, her ongoing treatment, accommodating the schedules of various
13 busy medical professionals and expert witnesses, and the general complex nature of this matter, the
14 parties request a 60 day extension to the rebuttal expert deadline and a 75 day extension to the
15 close of discovery deadline. The parties seek the 45 days between the rebuttal expert deadline and
16 the close of discovery deadline, instead of the typical 30, so as to allow additional time for expert
17 depositions following the disclosure of rebuttal designations.

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **D. Proposed Schedule for Completing Remaining Discovery**

2 Event	3 Current Deadline (ECF No. 41)	4 Proposed Deadline
5 Discovery Cutoff	6 06/04/2021	7 08/19/2021
8 Deadline Amend Pleadings/Add Parties	9 03/03/2021	10 Passed
11 Initial Expert Disclosure	12 04/05/2021	13 Passed
14 Rebuttal Expert Disclosure	15 05/05/2021	16 07/05/2021
17 Dispositive Motions	18 07/02/2021	19 09/20/2021
20 Pretrial Order	21 08/02/2021	22 10/20/2021

23 If dispositive motions are filed, the deadline for filing the pretrial order will be suspended
 24 until 30 days after decision on the dispositive motions or further court order. The disclosures
 25 required by Fed. R. Civ. P. 26(a)(3) and any objections to them must be included in the pretrial
 26 order.

27 DATED: April 15, 2021

28 DATED: April 15, 2021

29 /s/ Ryan T. Gormley
 30 D. Lee Roberts, Jr., Esq.
 31 Ryan T. Gormley, Esq.
 32 WEINBERG, WHEELER, HEDGINS,
 33 GUNN & DIAL, LLC
 34 6385 South Rainbow Blvd., Suite 400
 35 Las Vegas, Nevada 89118
 36 Attorneys for Defendant
 37 Swift Transportation Co. of Arizona, LLC

38 /s/ Ramzy P. Ladah (with permission)
 39 Ramzy Paul Ladah, Esq.
 40 LADAH LAW FIRM, PLLC
 41 517 S. Third Street
 42 Las Vegas, Nevada 89101
 43 Attorneys for Plaintiff
 44 Laura Peters

45 **IT IS SO ORDERED.**

46 DATED: April 16, 2021

47 
 48 UNITED STATES MAGISTRATE JUDGE

